

FISCAL NOTE

HB 2842 - SB 3561

March 5, 2006

SUMMARY OF BILL: Extends the statute of limitations for prosecution of any felony offense to within one year after the date on which the identity of the accused is established through DNA evidence.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$ 1,127,200 / Incarceration*

Assumptions:

- One Class A felony conviction per year with 20 years time served (7305 days). According to the Department of Correction, the average operating cost per inmate per day for calendar year 2006 is \$50.02. The cost per inmate is \$365,396.10 (7305 days x \$50.02). The total operating cost for one offender in the tenth year as required by Tenn. Code Ann. § 9-4-210, is \$182,698.05 (\$50.02 x 3,652.50 days).
- Two Class A felony convictions per year with 17 years time served (6,209.25 days). The cost per inmate is \$310,586.69 (6,209.25 days x \$50.02). The cost for two offenders is \$621,173.38 (\$310,586.69 x 2). The total operating cost for two offenders in the tenth year is \$365,396.10 (\$50.02 x 3,652.50 days x 2).
- Two Class B felony convictions per year with 6.8 years served (2,483.70 days). The cost per inmate is \$124,234.67 (2,483.70 days x \$50.02). The total operating cost for two offenders is \$248,469.34.
- Two Class B felony convictions per year with 2.4 years served (876.60 days). The cost per inmate is \$43,847.53 (876.60 x \$50.02). The total operating cost for two offenders is \$87,695.06.
- Nine persons will be convicted of Class C felony convictions in the first year. Population growth of 1.09 percent per year will result in one additional offender charged with this Class C felony offense in the tenth year as a result of this bill. The maximum cost in the tenth year is based on 10 offenders serving 0.9 years (328.73 days). The cost per inmate is \$18,269.81 (328.73 days x \$50.02). The total operating cost for ten offenders is \$182,698.10 (\$18,269.81 x 10).
- Four Class D felony convictions per year with 0.6 years served (219.15 days). The cost per inmate is \$10,961.88 (219.15 days x \$50.02). The total operating cost for four offenders is \$43,847.52.

- Three Class E felony convictions per year with 0.3 years served (109.58 days). The cost per inmate is \$5,481.20 (109.58 days x \$50.02). The total operating cost for three offenders is \$16,443.60.
- According to the U.S. Census Bureau, population growth in Tennessee has been 1.09 percent per year for the past 10 years, yielding a projected compound population growth of 13.6% over the next ten years. No significant incarceration cost increase will occur due to population growth in this period other than for the Class C offenses.

** Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible.

James W. White, Executive Director